

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

**UNITED STATES OF AMERICA  
PLAINTIFF**

**v.**

**MICHAEL DAVID HARVEY,  
DEFENDANT**

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**CR. NO. 1:06-CR-00107-MHT**

**NOTICE OF INTENT TO USE TRANSCRIPT OF PRIOR TESTIMONY**

Comes now Defendant, Michael David Harvey, by and through counsel of record, and gives notice to the Court that he intends to introduce a transcript of the entire testimony of Mr. Steven D. Harvey, Sr., Defendant's father, from the suppression hearing held in this case on November 16, 2006, a copy of which is attached hereto as Attachment A. Counsel for the United States has agreed that the transcript of Mr. Steven D. Harvey, Sr. Entire testimony may be admitted into evidence at the sentencing hearing without objection.

Respectfully submitted this day, August 7, 2007.

/s/Timothy C. Halstrom

Timothy C. Halstrom  
Bar Number HAL021  
Attorney for Defendant

Of Counsel:  
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**CERTIFICATE OF SERVICE**

I hereby certify that on August 7, 2007, I electronically filed the foregoing with the Clerk of the Court using CM/ECF system which will send notification of such filing to the respective parties.

/s/Timothy C. Halstrom

Timothy C. Halstrom

Bar Number HAL021